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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,693	11/17/2000	Nader F. Mir	UKRF-104A	8557
28304	7590	05/10/2004	EXAMINER	
JEAN M. MACHELEDT 501 SKYSAIL LANE SUITE B100 FORT COLLINS, CO 80525-3133			STEVENS, ROBERTA A	
		ART UNIT		PAPER NUMBER
		2665		5

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/715,693	MIR, NADER F.	
	Examiner	Art Unit	
	Roberta A Stevens	2665	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 November 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,14 and 20 is/are rejected.
- 7) Claim(s) 3, 4-13, 15 -19, 21 and 22 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 14 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ikeda (U.S. 6643041 B1).

3. Regarding claim 1, Ikeda teaches a network (figure 1) for routing a plurality of data segments containing address information, comprising: a first second and third switch element (9) each comprising a respective external input for routing data segments into the network and a respective external output for routing data segment out of the network; a first bi-directional coupling (col. 7, lines 46-50, and figure 5, elements 41, 42, 44-1) between the first and second switch elements, a second bi-directional coupling (col. 7, lines 46-50, and figure 5, elements 41, 42, 44-1) between the first and third switch elements, and a third (col. 7, lines 46-50, and figure 5, elements 41, 42, 44-1) bi-directional coupling between the second and third switch elements; and a first controller (3) for interrogating the address information of each of the segments inbound into the first switch element (col. 9, lines 36-55), any of the inbound data segments received by the first switch element to be directed out along a selected exit path way; whereby the exit pathway for any inbound data segments received is selected according to the address information of the inbound data segment, and if a contention exists for the exit pathway,

further according to a priority designator of the data: the exit pathway to be selected from the group consisting of: if the first switch element is an outbound destination for the data, the first external output and one of the bi-directional couplings in communication with the first switch element (col. 10, line 60 – col. 11, line 15).

4. Regarding claim 2, Ikeda teaches the external input is in direct communication with a first input-port processor; the external output is in direct communication with a first output-port processor; each bi-directional coupling comprises an optical fiber link; and any of the data that arrive at the first input-port processor, do so as optical signals (col. 2, line 45 – col.3).

5. Regarding claim 14, Ikeda teaches a method for routing a plurality of data segments through a network having first second and third switch elements, comprising: providing a first bi-directional coupling (col. 7, lines 46-50, and figure 5, elements 41, 42, 44-1) between the first and second switch elements, a second bi-directional coupling (col. 7, lines 46-50, and figure 5, elements 41, 42, 44-1) between the first and third switch elements, and a third (col. 7, lines 46-50, and figure 5, elements 41, 42, 44-1) bi-directional coupling between the second and third switch elements; interrogating an address information of each of the data segments routed by way of a respective external input; and selecting exit pathway for any inbound data segments received address information of the inbound data segment, and if a contention exists for the exit pathway, further according to a priority designator of the data: the exit pathway to be selected from the group consisting of: if the first switch element is an outbound destination for the data, the first external output and one of the bi-directional couplings in communication with the first switch element (col. 10, line 60 – col. 11, line 15).

6. Regarding claim 20, Ikeda teaches a computer readable program code on a computer readable storage medium for routing a plurality of data segments through a network having first, second and third switch elements, comprising: a first program sub-code for interrogating an address information of each of the data segments routed by way of a respective external input; and selecting exit pathway for any inbound data segments received address information of the inbound data segment, whereby a bi-directional coupling is provided between the first and second switch elements, between the first and third switch elements, and between the second and third switch elements (col. 7, lines 46-50, and figure 5, elements 41, 42, 44-1); and a second program sub-code for selecting exit pathway for any inbound data segments received address information of the inbound data segment, and if a contention exists for the exit pathway, further according to a priority designator of the data: the exit pathway to be selected from the group consisting of: if the first switch element is an outbound destination for the data, the first external output and one of the bi-directional couplings in communication with the first switch element (col. 10, line 60 – col. 11, line 15).

Allowable Subject Matter

7. Claims 3-13, 15-19, 21 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bare (U.S. 6556541 B1), Delong (U.S. 6141344) and Vaman (U.S. 6011780) are cited to show the state of the art.
9. Any inquiry concerning the communication or earlier communications from the examiner should be directed to Roberta Stevens whose telephone number is (703) 308-6607. The examiner can normally be reached on Monday through Friday from 9:00 am to 5:30 p.m.
10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor can be reached on (703) 308-6602.
11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900.

12. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 872-9306

For informal draft communications, please label "PROPOSED" or "DRAFT"

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

Roberta A. Stevens

Patent Examiner

05-03-04



STEVEN H. D. NGUYEN
PRIMARY EXAMINER